

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

FILED

FEB 1 1 2019

Clerk, U S District Court
District Of Montana
Billings

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LEAH SUMMER GARCIA,

Defendant.

CR 18-65-BLG-SPW

ORDER

At the request of U.S. Probation,

IT IS HEREBY ORDERED that sentencing currently scheduled for Thursday, March 14, 2019 at 1:30 p.m., is **VACATED** and reset to commence on **Thursday, April 4, 2019 at 2:30 p.m.** in the James F. Battin U.S. Courthouse, Billings, Montana.

IT IS FURTHER ORDERED that,

1. The probation officer shall disclose the completed report, except for recommendations of the probation officer as follows: **two copies** to counsel for Defendant, and **one copy** to counsel for the government on or before **February 15, 2019**. The probation officer shall not disclose any recommendation made or to be

made to the Court.

2. If restitution is mandatory, the probation officer shall discuss a payment plan with Defendant and shall make recommendations to the Court concerning interest and a payment schedule.

3. Counsel shall attempt in good faith to resolve disputes over any material in the presentence report. Unresolved objections to be relied upon at sentencing shall be presented to the probation officer on or before **February 27, 2019**. U.S.S.G. § 6A1.2. **Any unresolved objections are expected to be included in the pre-sentence report, not in a sentencing memorandum.**

4. The presentence report, in final form, including any unresolved objections, shall be delivered to the Court and the parties on or before **March 13, 2019**.

5. Sentencing memoranda and supporting documents addressing all relevant sentencing issues shall be filed on or before **March 20, 2019**. Absent good cause shown, sentencing memoranda and supporting documents filed after March 20, 2019 will not be considered in addressing sentencing issues. Failure to timely file sentencing memoranda may result in imposition of sanctions against counsel.

6. Responses to sentencing memoranda shall be filed on or before

March 27, 2019.

7. Reply briefs will not be accepted for filing in sentencing matters.

8. The Court will resolve objections included in the Addendum to the presentence report at the sentencing hearing in accordance with U.S.S.G. § 6A1.3.

9. All parties that intend to have witnesses testify at sentencing shall give notice to this Court ten (10) days prior to the sentencing date.

The Clerk shall forthwith notify the parties of the making of this Order.

DATED this 11th day of February, 2019.


SUSAN P. WATTERS
U.S. DISTRICT JUDGE